

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF PENNSYLVANIA**

RENEE ZINSKY,

Civil Action

Plaintiff,

No.2:22-cv-547

vs.

Judge Horan

MICHAEL RUSSIN, RUSSIN FINANCIAL,
RUSSIN GROUP, SIMON ARIAS, III,
ARIAS AGENCIES, S.A. HOLDING
AMERICAN INCOME
LIFE INSURANCE COMPANY,

Defendants.

JURY TRIAL DEMANDED

PLAINTIFF'S MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT

Plaintiff, Renee Zinsky ("Plaintiff"), by and through her undersigned counsel, files this Motion for Leave to File Second Amended Complaint pursuant to Fed.R.Civ.P. 15(a)(2) and avers as follows:

I. INTRODUCTION AND PROCEDURAL HISTORY

1. This is a civil action brought by Plaintiff requesting relief for sexual assault, battery, false imprisonment and intentional infliction of emotional distress as to Defendant, Michael Russin ("Russin").

2. As to the Remaining Defendants¹, Plaintiff has asserted claims for violation of the Fair Labor Standards Act, 29 U.S.C. § 201, et seq., violation of the Pennsylvania Minimum Wage Act of 1968, 43 P.S. § 333.104(c) and 34 Pa. Code § 231.41, violation of the Pennsylvania Wage Payment Collection Law 43 P.S. § 260.3, breach of contract, rescission, unjust enrichment, negligent hiring, retention, and supervision, vicarious liability, and intentional infliction of emotional distress, pursuant to Plaintiff's Amended Complaint.

3. Pursuant to this Honorable Court's Memorandum Order dated July 22, 2022, the

¹ Russin Financial, Russin Group, American Income Life Insurance Company ("AIL"), Simon Arias, III, Arias Agencies, and S.A. Holding.

aforementioned claims pending against the Remaining Defendants have been stayed pending arbitration.

4. On or about September 27, 2022, Plaintiff filed a Demand for Arbitration with the American Arbitration Association (“AAA”) including the aforementioned claims in addition to new claims for violation of Title VII of the Human Rights Act of 1964 and the Pennsylvania Human Rights Act (gender discrimination, sexual harassment, retaliation)² as to the Remaining Defendants.

5. Plaintiff now moves this Honorable Court to file a Second Amended Complaint to add two causes of action, i.e., defamation and intrusion of seclusion against Russin.

6. Plaintiff did not learn of many of the defamatory, harassing, and otherwise intrusive offensive acts committed by Russin as noted in more detail below until after she filed her Amended Complaint on or about April 11, 2022.

7. In fact, most of the Russin’s conduct as noted in more detail below did not occur until after April 11, 2022.

8. Moreover, Plaintiff was unable to appreciate the patterns and hence, significance of of Russin’s individual acts intended to defame, malign, harass, and/or intrude upon Plaintiff’s seclusion.

9. Allowing Plaintiff to file the Second Amended Complaint would serve justice and promote judicial efficiency. Further, there would be no substantial or undue prejudice, bad faith, undue delay, or futility.

II. BACKGROUND FACTS

10. Plaintiff hereby incorporates the factual and legal allegations outlined in her initial

² Since March 3, 2022, the AAA adjudicates sexual assault/sexual harassment claims based on the presumption that the Plaintiff voluntarily elected arbitration as Plaintiff’s forum of choice for those claims. App. Ex. A. In this case, Plaintiff filed her Demand for Arbitration with AAA in compliance with this Honorable Court’s Order dated July 22, 2022. Plaintiff maintains this Honorable Court as her forum of choice and, therefore, does not waive any rights by filing her Demand for Arbitration with AAA.

Complaint as well as her Amended Complaint filed on or about April 11, 2022.

A. Russin's Defamatory Conduct

11. Since learning that Plaintiff reported Russin's sexual harassment, sexual assault, and fraudulent business practices to Simon Arias III, Arias Agencies, and AIL in the September 2021 to November 2021 timeframe, Russin has taken intentional steps to disparage, malign, or otherwise defame Plaintiff.

12. On or about November 2021, for example, Russin began a smear campaign against Plaintiff wherein Russin contacted many of Plaintiff's coworkers (many of which were Russin's subordinates at the time) in an effort to disparage, malign, and/or otherwise defame Plaintiff's credibility and reputation.

13. On multiple occasions since, Russin has contacted many of Plaintiff's coworkers, verbally and in writing, telling them that Plaintiff had asserted false claims of sexual assault against him, that Plaintiff was a "liar" and a "money grubbing whore" who was only after his money.

14. At the same time, Russin contacted many of Plaintiff's coworkers, verbally and in writing, requesting and/or demanding that they provide Russin with "anything [they] can find" ... "that I can use against [Plaintiff]" such as photographs, videos, text messages, or other information with the sole intent to put Plaintiff in a false and negative light relative to the subject lawsuit.

B. Russin's Acts Intended to Intrude Upon Plaintiff's Seclusion

15. Ever since learning that Plaintiff reported Russin's sexual harassment, sexual assault, and fraudulent business practices in the September 2021 to November 2021 timeframe, Russin has taken intentional and unauthorized steps to harass and/or intrude upon Plaintiff's seclusion, causing Plaintiff significant mental anguish and suffering.

16. For example, immediately after learning of Arias Agencies and/or AIL's investigation(s) of Plaintiff's claims, Russin published a video of himself stating as follows:

The best defense sometimes is a good offense. And I'm ready to play offense... if you're going to try to take food out of my child's mouth, I will come to you, physically, and I will peel the skin off your face and take your eyes out and I'll feed them to [Russin's dog]. And then I'll eat your liver. I'm not kidding. I'm dead serious.³

17. On or about November 1, 2021, Russin stated "We live in a time of chaotic feminine energy unchecked by strong, rational masculinity. Easiest way to summarize current events." App. Ex. B.

18. On or about November 2021 to December 2021 timeframe, Janet Hendrick ("Hendrick"), former counsel for AIL, contacted Russin as part of her investigation of Plaintiff's claims for purposes of obtaining relevant information from Russin and preserving same.

19. Within days after being contacted by Hendrick, Russin published a video of himself stating as follows:

If I needed to pull 3 years of messages, text messages and videos for other people too and put them all in one place, what's the easiest way to go about that... like if you want to put together some memories for someone very special to you ...⁴

20. On or about December 2021, Russin published a threatening photograph of his face with the caption "**Fuck Around and Find Out**". App. Ex. C.

21. On or about December 2021, Russin stated as follows: "Your beatings will continue. Until my morale improves, I don't hate you, I'm just removing an enemy Remorse is for the dead." App. Ex. D.

22. On or about December 4, 2021, Russin published a statement referring to himself as "240 lbs of sex drive and violence" and "The rise of matriarchy in the form of pseudo feminism and medical state will likely need stamped out by violence", *inter alia*. App. Ex. E.

³ This video was published by Russin on Russin's Instagram account, [www.russin_ceo@instagram.com](https://www.instagram.com/russin_ceo/), until Russin deleted the account on or about September 25, 2022. As such, Plaintiff's counsel will make an electronic copy of this video and the other videos previously published by Russin referenced herein available to the Court at the Court's convenience.

⁴ Russin published this video on the aforementioned Instagram account which was recently deleted. Plaintiff's counsel will make an electronic copy available to the Court at the Court's convenience.

23. On or about December 6, 2021, Russin published a video of himself stating:

I'm just letting you guys know ... They will come for your marriage. They'll come after your character. They'll come after your money ... You better be ready. They will attack your businesses, job, everything. Better get ready.⁵

24. On or about January 10, 2022, Russin published a podcast episode wherein he degraded women and advocated violence stating, *in part, as follows*:

You need to be engaged physically as a man if you want to feel like a man. Anyone who tells you that's toxic masculinity, they can jump off a bridge ... Do not listen to these dumbass women ... We are supposed to fight ... the big problem in society is that most people haven't been punched in the face ... More people need to start getting punched in the face⁶

25. On or about January 13, 2022, Russin published a podcast discussing women's claims of sexual assault/harassment and the subject lawsuit in particular. Russin stated as follows:

This is a much-awaited episode by a lot of people ... over the past couple of years the major issues in my life ... is because of women, and a lot of that is my fault 100% ... If you're a man and you're successful, then you're a target. It's just the way that it is ... I can't even get into certain things legally... this is how to protect yourself as a man in business ... get legal counsel on retainer and make it very publicly known ... **Fuck Around and Find Out** ... women make up the majority of lawsuits in business. It's just what they do ... I used to treat women and men the same and then I realized you can't treat them the same ... facts don't give a shit about your feelings, lady ... men, you need to resist the urge ... don't shit where you eat... you gotta keep your hand out of that bucket ... I've made mistakes with a lot of this stuff guys and I've had to deal with the consequences ...⁷ *Emphasis added.*

26. Days later, on or about January 15, 2022, Russin published a separate statement summarizing the aforementioned podcast stressing the need for men to go out of their way to publicize that they have legal counsel on retainer and reiterated “**fuck around and find out**”⁸. *Emphasis added.*

⁵ See Id.

⁶ See Absideon Achievement Podcast, Good Depressed Men, January 10, 2022, <https://mrussin.podbean.com/e/good-depressed-men>

⁷ See Absideon Achievement Podcast, Protect Yo Neck, January 13, 2022, <https://mrussin.podbean.com/?s=protect+yo+neck>

⁸ Russin published this video on the aforementioned Instagram account which he has since deleted. Plaintiff's counsel can make an electric copy of the video available to the Court at the Court's convenience.

27. AIL has represented that, on or about early February 2022, AIL terminated Russin after concluding, through its investigation, that Plaintiff's complaints against Russin were substantiated.

28. On or about early February 2022, Russin posted an intimidating photograph of himself pictured with a large knife beside his face. App. Ex. F.

29. On or about early February 2022, Russin very clearly stated "**I am ready for violence.**" *Emphasis added.* App. Ex. G.

30. On or about February 23, 2022, Russin threatened Plaintiff by directly contacting Plaintiff's counsel. Specifically, Russin sent Plaintiff's counsel a direct message via Instagram "Do you think I don't know who you are?" App. Ex. H.

31. On or about February 26, 2022, Russin stated as follows:

When a man is wrongly accused ...whether it's in the workplace ... or going to divorce court with a whore... Too many men get taken out of the game by **money grubbing whores**⁹ *Emphasis added.*

32. On or about February 2022, Russin stated as follows: "The pussification of men ends when you stop being afraid of being cancelled for being called a 'bad word'... or **some blood sucking harlot crawling out of the woodwork to accuse you of some sexual misdeed.** *Emphasis added.* App. Ex. I.

33. On or about April 15, 2022, approximately four days after Plaintiff filed her Amended Complaint, Russin stated as follows:

Women are nuts dude ... stop dipping your toe or your you know what ... because I'm telling you it's going to come back and bite you in the ass. She's going to slash your tires, steal from you, spread lies about you ... some whore comes out of the woodwork and says he sexually assaulted her ... 99% of all women are liars ... they will come after you because of irrational hatred or they will come for your money.¹⁰

⁹ See Absideon Achievement Podcast, No F*cking Patty Cake, February 26, 2022. <https://mrussin.podbean.com/e/no-fcking-patty-cake/>

¹⁰ See Absideon Achievement Podcast, *Advice For Young Men*, April 15, 2022. <https://mrussin.podbean.com/?s=advice+for+young+men>

34. On or about April 30, 2022, Russin published a photograph of wild animal violently killing another wild animal with the caption “Your Time Is Coming”. App. Ex. J. Thereafter, Russin published various iterations of the same threat on at least three additional occasions: a) “Your Time Will Come;” b) “Your time is Coming”; c) “Your time is coming... Daily reminder;” and c) “Soon.” App. Ex. K-N.

35. On or about May 2022, Russin published a video of himself stating his (criminal) intentions with regard to business operations: “I’m going to run these three new businesses just like the mob ... No business of mine will ever have an HR department. That’s for fuckin’ women...”¹¹

36. On or about May 8, 2022, Russin directly contacted Plaintiff’s employer, Virgo + Garnet, threatening to appear in person at Plaintiff’s place of employment. See Virgo + Garnet letter dated May 9, 2022. App. Ex. O.

37. On or about June 2022, Plaintiff received cryptic text messages from an unknown phone number, stating “Hi ... Hello” and refusing to identify the sender of same. App. Ex. P.

38. On or about June 2022, Russin stated: “The **money grubbing whores** strike again.” *Emphasis added.* App. Ex. Q.

39. On or about June 2022, Russin published the following statement: “Being nice is overrated. Just get a good lawyer and **choose violence.**” *Emphasis added.* App. Ex. R.

40. On or about June 16, 2022, Russin stated as follows:

One girl took it upon herself to say I’m a drug abusing psychopath, **I threaten people’s lives and sexually assault women** ... the first thing they are going to a man is they are going to do the whole sexual assault thing ... and if that doesn’t work ... ‘me too’ ‘em ... It’s so funny that women want to be treated equally but somehow are always the victim in every situation. You know why? Because you are weaker! You are the weaker sex! ... And if you don’t like hearing that as a woman, then you are part of the problem.¹²

¹¹ Russin published this video on his aforementioned Instagram account which has since been deleted. Plaintiff’s counsel can make an electric copy of the video available to the Court at the Court’s convenience.

¹² See Absideon Achievement Podcast, *Will You Echo In Eternity?* <https://absideonconsulting.com/podcast/>, June 16, 2022.

41. On or about July 8, 2022, Russin published a podcast episode “Tame the Beast! Your Mind and Your Penis” wherein Russin discussed sexual assault, his inability to “control his sexual urges,” and violence toward women. More specifically, Russin stated, in part, as follows:

The two areas in your life that you have to remove feminine influence ... your mind and your thinking ... number two, your penis ... put a 110 pound woman in front of me and she kicks me? **I’m going to cave her chest in with one punch** ... A man that can’t control his sexual urges can control everything. Take it from a man who couldn’t ... Your penis is going to cause you more problems than anything else in your life ... This has happened to me ... ‘I’m a victim... sexual assault... he made me touch his penis’ ... Women are the biggest liars on the planet ... It takes one bottle service girl, one employee ...¹³

42. On or about July 15, 2022, Russin discussed his history of violence, unstable mental health and crime as follows:

I have been involved ... in violent situations where I have had to be extremely violent ... and I’ve seen people be extremely violent and I’ve been around extreme violence ... I think about how I’ve been jumped and had to beat 2-3 guys up at a time ... close encounters with law enforcement ... I’ve been locked up in the looney bin... charged with 8 felonies and beat the cases¹⁴... all the things I had done and all the people I hurt... it’s very easy to feel like you’re the devil...¹⁵

43. July 20, 2022, Russin advocated violence toward women and in general. More specifically, Russin stated as follows:

I’m ready for violence ... I don’t believe in peace as a person, at all ... If I come to your house and I grab your wife and put a gun to her head, what are you gonna do?... when I’m in the gym, I’m training myself for violence ... **Everything in life is violence.** You’ve gotta be prepared for it, especially now... Be ready. It’s gametime.¹⁶
Emphasis added.

¹³ *Emphasis Added.* See Absideon Achievement Podcast, TAME THE BEAST! Your Mind and Your Penis, <https://mrussin.podbean.com/e/tame-the-beast-your-mind-your-penis/> July 8, 2022.

¹⁴ Russin was charged with 8 crimes on or about July 2020 which Russin publicly described as a “run in with the police ... after I smashed some patio furniture and ... I basically barricaded myself in a hotel room ... obviously I was not sober... and said some silly things and broadcasted it on Facebook ... Thank God for the support system I have with AIL and Arias Agencies, especially [Simon Arias, III].” See Russin’s Facebook post dated July 2, 2020: <https://www.facebook.com/boan.stacks/videos/1526834144144017/>

¹⁵ Absideon Achievement Podcast, *Gods Graces and Second Chances*, July 15, 2022 <https://mrussin.podbean.com/e/god-s-grace-and-second-chances/>

¹⁶ Absideon Achievement Podcast, *Multiple Businesses and Violence*, July 20, 2022. <https://mrussin.podbean.com/e/multiple-businesses-and-violence/>

44. On or about July 26, 2022, Russin stated: “Every normal man must be tempted, at times, to spit on his hands, hoist the black flag, and begin slitting throats.” App. Ex. S.

45. On or about July 27, 2022, Russin stated as follows:

I blamed it on being bipolar ... having sex with a lot of people, driving car into a tree ... I look back at all these doctors, all these therapists, all these women ... weak weak weak! The more intentional suffering you go through the less of a bitch you are¹⁷.

46. On or about July 31, 2022, Russin stated “Aggression is a gift. Don’t let the feminine HR world tell you otherwise.” App. Ex. T.

47. On or about August 1, 2022, Plaintiff’s vehicle was vandalized while parked outside of her residence. It is believed and therefore averred that said vandalism was caused, directly or indirectly, by Russin.

48. On at least three separate occasions in August 2022, Plaintiff’s counsel received cryptic text messages (practically identical to those received by Plaintiff as noted above) from unknown phone numbers including but not limited to the following:

- a. Text message stating “Hello” sent on August 6, 2022;
- b. Text message stating “hello” sent on August 10, 2022; and,
- c. Text message stating “How are you??” sent on August 24 2022.

App. Ex. U-W.

49. On or about August 2022, Russin published a photograph of himself captioned “War Ready”. App. Ex. X.

C. Russin’s Ongoing Acts Intended to Intrude Upon Plaintiff’s Seclusion In The Face of this Honorable Court’s Directive to Cease His “Appalling” Behavior

50. On or about Sept 1, 2022, this Honorable Court admonished Russin’s conduct, referencing same as “brash” and “appalling”, inter alia. This Honorable Court made clear to Russin’s

¹⁷ Absideon Achievement Podcast, *Intentional Suffering and Mental Health*, July 27, 2022. <https://mrussin.podbean.com/e/intentional-suffering-mental-health/>

counsel, in no uncertain terms, that said conduct “would not be tolerated.”

51. Two days later, on or about September 3, 2022, Russin published another photograph of himself captioned “WAR READY V2 BABY LETS GOOOOOO”. App. Ex. Y.

52. On the same day, September 3, 2022, Russin stated as follows:

If you’re a man ... you got to close a woman ... When someone else becomes focused on you they want to take you out of the game I love it. **I have a sick relationship with pain ... But you don’t want to hyper fixate on that ... you start feeding your dark side ... That’s when you want to lash out.**¹⁸

53. On or about September 15, 2022 - while threatening another former coworker - Russin stated “**After I’m done chewing up the whores up in court you’re next** ... This’ll be really good for the lawyers”. *Emphasis added.* App. Ex. Z.

54. On or about September 28, 2022, Russin published a podcast episode wherein he stated “I know that a lot of you listening to this are my dear friends ... and a lot of you listening to this would call yourselves my enemies, and I pray for you ... You know who you are...”¹⁹

55. The aforementioned conduct on behalf of Russin was intended to defame and/or intrude upon Plaintiff’s seclusion which has, and continues to, cause Plaintiff significant damages to include loss of reputation, and significant mental anguish and suffering.

WHEREFORE, Plaintiff respectfully requests that the Court grant Plaintiff’s Motion for Leave to file the attached Second Amended Complaint, App. Ex. AA.

¹⁸ *Emphasis Added.* See Absideon Achievement podcast episode How to Be a Closer, Fuel for the Fire, and False Gospel Preachers, <https://mrussin.podbean.com/e/how-to-be-a-closer-fuel-for-the-fire-and-false-gospel-preachers/> September 3, 2022

¹⁹ See Absideon Achievement podcast, The Potential of Alignment, September 28, 2022. <https://mrussin.podbean.com/e/the-potential-of-alignment/>

Date: October 14, 2022

Respectfully submitted,

/s/ Amy N. Williamson

Amy N. Williamson, Esq.

Williamson Law LLC

Law and Finance

429 Fourth Avenue, Suite 300

Pittsburgh PA 15219

412-600-8862

awilliamson@awilliamsonlaw.com

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of October, 2022, I served a copy of the foregoing **Motion for Leave to File Second Amended Complaint** via the Court's ECF filing system.

/s/ Amy N. Williamson
Amy N. Williamson